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Chrono

OCA 86-2579
29 July 1986

MEMORANDUM FOR THE RECORD

SUBJECT: Justice Views Letter on S. 1815 - Conveying Agency
Comments to OMBOMB

1. On July 29, 1986, I called the office of Brandon Blum, Legislative Analyst, Office of Management and Budget (OMB) concerning a views letter (attached) from the Department of Justice to Majority Leader Dole on S. 1815, a bill to ban the private use of the polygraph. The letter had been sent to this Office for Agency comment. The letter had opposed the bill and threatened recommendation of a veto if it were to pass. I indicated that the Agency had no objection to the letter.

Department of Energy

2. In a previous conversation on the bill with Vera Connally, Department of Energy, Ms. Connally stated she had been advised by a staff member of the Senate Labor and Human Relations Committee that there had been consideration of downgrading the exception in the bill for governmental contractors from a statutory exception to a regulatory exception apparently to be contained in regulations promulgated by the Secretary of Labor.

3. In a subsequent conversation, however, Ms. Connally retracted this somewhat by indicating that she had been subsequently advised that the bill was "dead in the water" as five Senators had placed "holds" on it: Thurmond, Quayle, Hawkins, Metzenbaum and Wallop.

Department of Justice

4. In conjunction with reviewing the letter, I contacted Jack Perkins, Legislative Counsel for the Department. He indicated the letter was being sent at this time because Justice believed an expression of opposition to the bill at this time might assist in "killing" it.

Senator Hatch's Office

5. I also spoke with Kevin McGuinness, the Counsel for Senator Hatch on the Senate Labor and Human Resources Committee. I was informed that neither the Senator nor that Office had any plans to: 1) downgrade the exemption from one in statute to one in regulation; or, 2) to attach S. 1815 to any other legislative vehicle moving through the Congress.

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Legislation Division
Office of Congressional Affairs

Attachment:
As stated

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 24, 1986

LEGISLATIVE REFERRAL MEMORANDUM

86-2514

SPECIAL

TO: SEE ATTACHED DISTRIBUTION LIST

SUBJECT: Department of Justice draft report on S. 1815, the Polygraph Protection Act.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than July 29, 1986.

(NOTE -- The subject report restates the Administration position as expressed previously on this legislation. Accordingly, we will assume that you have no comment if you have not responded by the deadline.)

Direct your questions to Branden Blum (395-3454), the legislative attorney in this office.


James C. Murr for
Assistant Director for
Legislative Reference

Enclosure

cc: Peter Wallison Karen Wilson Arnold Donahue Kathy Collins
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